

APPEAL

**U.S. District Court
SOUTHERN DISTRICT OF TEXAS (Houston)
CRIMINAL DOCKET FOR CASE #: 4:10-cr-00512-1
Internal Use Only**

Case title: USA v. Morris
Magistrate judge case number: 4:10-mj-00352

Date Filed: 07/21/2010
Date Terminated: 05/13/2011

Assigned to: Judge Vanessa D
Gilmore

Defendant (1)

Thor Alexander Morris
Bond: \$50,000.00 Unsecured
TERMINATED: 05/13/2011

represented by **Federal Public Defender -
Houston**
440 Louisiana
Ste 310
Houston, TX 77002
713-718-4600
Fax: 713-718-4610
TERMINATED: 04/26/2010
ATTORNEY TO BE NOTICED

Kelly W Case
Case Law PLLC
2203 Timberloch Place
Ste 100
The Woodlands, TX 77380
281-296-5752
Fax: 281-419-3599
Email: kwcase@caselawpllc.com
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Pending Counts

FRAUD AND RELATED
ACTIVITY IN CONNECTION
WITH COMPUTERS
(1)

Disposition

37 months confinement; 3 yrs
SPR; \$100 special assessment

**Highest Offense Level
(Opening)**

Felony

Terminated Counts

None

**Highest Offense Level
(Terminated)**

None

Complaints

Knowingly and with the intent to defraud attempt to access a protected automated teller machine, without authorization and by means of such conduct further intended to fraud and attempt to obtain money from the siad protected access device; In violation of 18 USC 1030(a)(4) and (b);, 18:1030A.F

Disposition**Disposition****Plaintiff**

USA

represented by **Suzanne Elmilady**
United States Attorney Office
PO Box 61129
Houston, TX 77208
713-567-9574
Fax: 713-718-3300
Email:
suzanne.elmilady@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Financial Litigation
U S Attorney's Office

Southern District of Texas
P O Box 61129
Houston, TX 77208
713-567-9000
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ATTORNEY TO BE NOTICED
Designation: Retained

US Marshal - H
515 Rusk
10th Floor
Houston, TX 77002
713-718-4800
Fax: 713-718-4848
ATTORNEY TO BE NOTICED
Designation: Retained

US Pretrial Svcs - H
515 Rusk
6th Floor
Houston, TX 77002
713-250-5218
Fax: 713-250-5666
ATTORNEY TO BE NOTICED
Designation: Retained

US Probation - H
515 Rusk
2nd Floor
Houston, TX 77002
713-250-5266
Fax: INS_prob1
ATTORNEY TO BE NOTICED
Designation: Retained

Date Filed	#	Docket Text
04/23/2010	<u>1</u>	Cr. COMPLAINT as to Thor Alexander Morris (1), filed. (mlerma,) [4:10-mj-00352] (Entered: 04/23/2010)
04/23/2010		(Court only) Arrest Warrant Issued in case as to Thor Alexander Morris (Issued by Magistrate Judge Stephen Smith), filed.

		(mlerma,) [4:10-mj-00352] (Entered: 04/23/2010)
04/23/2010	<u>2</u>	Minute Entry for proceedings held before Magistrate Judge Stephen Smith: INITIAL APPEARANCE as to Thor Alexander Morris, (Deft informed of rights) held on 4/23/2010. Appearances:G. Cooke AUSA.(ERO:Yes) Deft remanded to USM, filed.(mlerma,) [4:10-mj-00352] (Entered: 04/27/2010)
04/23/2010		Arrest of Thor Alexander Morris, filed. (mlerma,) [4:10-mj-00352] (Entered: 04/27/2010)
04/23/2010	<u>3</u>	Sealed Financial Affidavit CJA 23 by Thor Alexander Morris, filed. [4:10-mj-00352] (Entered: 04/27/2010)
04/23/2010	<u>4</u>	ORDER APPOINTING FEDERAL PUBLIC DEFENDER - Houston for Thor Alexander Morris.(Signed by Magistrate Judge Stephen Smith) Parties notified. (mlerma,) [4:10-mj-00352] (Entered: 04/27/2010)
04/23/2010	<u>5</u>	ORDER Scheduling a Detention hearing 04/26/10 as to Thor Alexander Morris.(Signed by Magistrate Judge Stephen Smith) Parties notified. (mlerma,) [4:10-mj-00352] (Entered: 04/27/2010)
04/26/2010	<u>7</u>	Minute Entry for proceedings held before Magistrate Judge Stephen Smith: DETENTION HEARING as to Thor Alexander Morris held on 4/26/2010 Federal Public Defender conflicted out and withdrawn as counsel.Appearances:M. White AUSA. (ERO:Yes) Deft remanded to USM, filed.(mlerma,) [4:10-mj-00352] (Entered: 04/28/2010)
04/26/2010		Attorney update in case as to Thor Alexander Morris. Attorney Federal Public Defender - Houston terminated. (mlerma,) [4:10-mj-00352] (Entered: 04/28/2010)
04/27/2010	<u>6</u>	CJA 20 as to Thor Alexander Morris Appointment of Attorney Kelly W Case for Thor Alexander Morris..(Signed by Magistrate Judge Stephen Smith) Parties notified. (mlerma,) [4:10-mj-00352] (Entered: 04/28/2010)
04/28/2010	<u>8</u>	Minute Entry for proceedings held before Magistrate Judge Stephen Smith: DETENTION HEARING as to Thor Alexander Morris held on 4/28/2010 Appearances:M. White AUSA. Kelly W Case.(ERO:Yes) Deft remanded to USM, filed.(mlerma,) [4:10-mj-00352] (Entered: 04/30/2010)
04/28/2010	<u>9</u>	WAIVER of Preliminary Hearing by Thor Alexander Morris,

		filed.(mlerma,) [4:10-mj-00352] (Entered: 04/30/2010)
04/28/2010	15	Unsecured Appearance Bond Entered as to Thor Alexander Morris in amount of \$ 50,000.00 Unsecured,, filed. (mlerma,) (Additional attachment(s) added on 5/5/2010: # 1 un redacted Appearance Bond) (mlerma,). Modified on 7/23/2010 (mlerma,). (Entered: 05/05/2010)
04/29/2010		Attorney update in case as to Thor Alexander Morris. Attorney Kebharu H Smith for USA added. (mlerma,) [4:10-mj-00352] (Entered: 05/04/2010)
04/29/2010	12	MOTION to Seal by USA as to Thor Alexander Morris, filed. (mlerma,) [4:10-mj-00352] (Entered: 05/04/2010)
04/30/2010	13	ORDER denying 12 Motion to Seal as to Thor Alexander Morris (1).(Signed by Magistrate Judge Stephen Smith.) Parties notified. (mlerma,) [4:10-mj-00352] (Entered: 05/04/2010)
05/03/2010	10	Pretrial Services Report (Sealed) as to Thor Alexander Morris, filed. (aallen,) [4:10-mj-00352] (Entered: 05/03/2010)
05/03/2010	11	Addendum to 10 Pretrial Services Report (Sealed) as to Thor Alexander Morris, filed. (aallen,) [4:10-mj-00352] (Entered: 05/03/2010)
05/03/2010	16	ORDER Setting Conditions of Release as to Thor Alexander Morris (1) \$50,000.00 Unsecured.(Signed by Magistrate Judge Stephen Smith) Parties notified. (mlerma,) [4:10-mj-00352] (Entered: 05/05/2010)
05/04/2010	14	Warrant issued 4/23/2010 Returned Executed on 4/23/2010 in case as to Thor Alexander Morris, filed. (ckrus,) [4:10-mj-00352] (Entered: 05/05/2010)
05/18/2010	17	First MOTION for Waiver Time Limit for Indictment by Thor Alexander Morris, filed. (Case, Kelly) [4:10-mj-00352] (Entered: 05/18/2010)
05/18/2010		US ATTORNEY'S NOTICE OF APPEARANCE. Suzanne Elmilady appearing for USA, filed.(Elmilady, Suzanne) [4:10-mj-00352] (Entered: 05/18/2010)
06/15/2010	18	WAIVER OF TIME LIMIT FOR INDICTMENT by Thor Alexander Morris, filed.(Case, Kelly)[4:10-mj-00352] Modified on 7/23/2010 (emares,). (Entered: 06/15/2010)
07/21/2010	19	INDICTMENT (The original indictment with the signature of the

		grand jury foreperson is on file under seal with the clerk) as to Thor Alexander Morris (1) count(s) 1, filed. (thanniable,) (Entered: 07/22/2010)
07/21/2010	20	US Attys Criminal Docket Sheet as to Thor Alexander Morris, filed.(thanniable,) (Entered: 07/22/2010)
07/21/2010	21	ORDER for Issuance of Notice of Indictment as to Thor Alexander Morris.(Signed by Magistrate Judge Stephen Smith) Parties notified. (thanniable,) (Entered: 07/22/2010)
07/22/2010	22	NOTICE OF SETTING as to Thor Alexander Morris. Arraignment set for 7/29/2010 at 10:00 AM in Courtroom 701 before Magistrate Judge Mary Milloy, filed. (thanniable,) (Entered: 07/22/2010)
07/29/2010	23	Minute Entry for proceedings held before Magistrate Judge Mary Milloy: ARRAIGNMENT as to Thor Alexander Morris (1) Count 1 held on 7/29/2010. Appearances:Michael Kusin for Suzanne Elmilady, Kelly W Case.(ERO:Y) Deft continued on bond, filed.(dgould) (Entered: 07/30/2010)
07/29/2010	24	SCHEDULING ORDER as to Thor Alexander Morris. ETT:2 days: Speedy Trial Limits Waived? N: Dispositive & Non-Dispositive Motion Filing due by 8/18/2010, Responses due by 8/27/2010, Pretrial Conference set for 9/20/2010 at 09:30 AM in Courtroom 9A before Judge Vanessa D Gilmore, Proposed Voir Dire due by 9/17/2010, Jury Trial set for 9/27/2010 at 01:30 PM in Courtroom 9A before Judge Vanessa D Gilmore.(Signed by Magistrate Judge Mary Milloy) Parties notified. (dgould) (Entered: 07/30/2010)
08/31/2010	25	Agreed MOTION to Continue Trial by Thor Alexander Morris, filed. (Case, Kelly) (Entered: 08/31/2010)
09/15/2010	26	ORDER granting 25 Motion to Continue Trial as to Thor Alexander Morris (1). Jury Trial reset for 11/29/2010 at 01:30 PM in Courtroom 9A before Judge Vanessa D Gilmore.(Signed by Judge Vanessa D Gilmore.) Parties notified.(bthomas,) (Entered: 09/16/2010)
09/15/2010		**Terminate Deadlines and Hearings as to Thor Alexander Morris: PTC for 9/20/2010. (bthomas,) (Entered: 09/16/2010)
11/19/2010	27	Agreed MOTION to Continue Trial by Thor Alexander Morris, filed. (Case, Kelly) (Entered: 11/19/2010)

11/22/2010	28	ORDER granting 27 Motion to Continue as to Thor Alexander Morris (1) Jury Trial set for 1/18/2011 at 01:30 PM in Courtroom 9A before Judge Vanessa D Gilmore.(Signed by Judge Vanessa D Gilmore.) Parties notified.(emares,) (Entered: 11/24/2010)
01/10/2011	29	NOTICE OF RESETTING as to Thor Alexander Morris.. Re-Arraignment set for 1/18/2011 at 09:30 AM in Courtroom 9A before Judge Vanessa D Gilmore, filed.(emares,) (Entered: 01/10/2011)
01/18/2011		Minute Entry for proceedings held before Judge Vanessa D Gilmore: RE-ARRAIGNMENT not held on 1/18/2011. Defendant decided not to plea. Defendant's oral motion for continuance of trial is granted. Jury Trial is set for February 28, 2011 at 1:30 p.m. Appearances: Suzanne Elmilady, Kelly W Case.(Court Reporter: C. Barron) Deft continued on Bond, filed. (bthomas,) (Entered: 01/18/2011)
01/18/2011		Minute Entry for proceedings held before Judge Vanessa D Gilmore: RE-ARRAIGNMENT held on 1/18/2011. Thor Alexander Morris (1) Guilty Count 1. Defendant decided to go forward with the plea. Sentencing set for May 9, 2011. Appearances: Suzanne Elmilady, Kelly W Case.(Court Reporter: C. Barron) Deft continued on Bond, filed.(bthomas,) (Entered: 01/18/2011)
01/18/2011	30	ORDER for Presentence Investigation and Disclosure & Sentencing Dates as to Thor Alexander Morris. PSI Completion due by 2/22/2011 Objection to PSI due by 3/8/2011 Final PSI due by 3/22/2011 Sentencing set for 5/9/2011 at 09:30 AM in Courtroom 9A before Judge Vanessa D Gilmore.(Signed by Judge Vanessa D Gilmore) Parties notified. (bthomas,) (Entered: 01/18/2011)
02/01/2011	31	Order Resetting Sentencing. Sentencing set for 5/9/2011 at 09:30 AM in Courtroom 9A before Judge Vanessa D Gilmore.(Signed by Judge Vanessa D Gilmore) Parties notified. (emares,) (Entered: 02/01/2011)
04/07/2011	32	Statement of No Objections to PSR (Sealed) by USA as to Thor Alexander Morris, filed. (Entered: 04/07/2011)
04/14/2011	33	Final Presentence Investigation Report (Sealed) as to Thor Alexander Morris, filed. (tmatthews,) (Entered: 04/14/2011)
04/14/2011	34	Confidential Sentencing Recommendation(Sealed) regarding

		Thor Alexander Morris, filed. (tmatthews,) (Entered: 04/14/2011)
04/14/2011	35	Sealed Addendum to 33 Final Presentence Investigation Report (Sealed) as to Thor Alexander Morris, filed. (tmatthews,) (Entered: 04/14/2011)
04/27/2011	36	Objections to PSR as to Thor Alexander Morris, filed. (Case, Kelly) Modified on 5/4/2011 (emares,). (Entered: 04/27/2011)
05/03/2011	37	Sealed Second Addendum to 33 Final Presentence Investigation Report (Sealed) as to Thor Alexander Morris, filed. (sshannon,) (Entered: 05/03/2011)
05/09/2011		Sentencing Minute Entry for proceedings held before Judge Vanessa D Gilmore: held on 5/9/2011 for Thor Alexander Morris (1), Count(s) 1, 37 months confinement; 3 yrs SPR; \$100 special assessment Appearances:Craig Feazel AUSA; Deyanira Loredó USPO. Kelly W Case.(Court Reporter: Stephanie Carlisle) Deft continued on bond, filed.(emares,) (Entered: 05/09/2011)
05/09/2011	38	LETTER OF SUPPORT RE: Sentencing as to Thor Alexander Morris, filed.(emares,) (Entered: 05/09/2011)
05/13/2011	39	JUDGMENT as to Thor Alexander Morris.(Signed by Judge Vanessa D Gilmore) Parties notified. (mfoley) (Entered: 05/16/2011)
05/13/2011	40	Statement of Reasons (Sealed) as to Thor Alexander Morris, filed. (Entered: 05/16/2011)
05/17/2011	41	NOTICE OF APPEAL to US Court of Appeals for the Fifth Circuit by Thor Alexander Morris,filed.(Case, Kelly) (Entered: 05/17/2011)
05/17/2011	42	First MOTION to Withdraw as Attorney by Kelly W Case by Thor Alexander Morris, filed. (Case, Kelly) (Entered: 05/17/2011)